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Legal Foundation

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

STATE OF CALIFORNIA, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Case No.: 3:25-cv-03372-JSC
[Assigned to the Hon. Jacqueline Scott
Corley]

**UNOPPOSED MOTION FOR
LEAVE TO FILE AMICUS CURIAE
BRIEF IN SUPPORT OF
DEFENDANTS' MOTION TO
TRANSFER**

1 America First Legal Foundation respectfully requests that the Court grant leave
2 to file the attached *amicus curiae* brief in support of Defendants’ motion to transfer this
3 action to the Court of International Trade. Plaintiffs do not oppose the relief sought and
4 Defendants consent to this relief.
5

6 1. It is “within the Court’s discretion” whether to allow an *amicus* brief, and
7 courts generally exercise “great liberality” in permitting them. *California v. United*
8 *States Dep’t of the Interior*, 381 F. Supp. 3d 1153, 1164 (N.D. Cal. 2019).
9

10 2. *Amicus* agrees with Defendants that this case should be transferred, and
11 *Amicus* submits the attached proposed brief providing an additional basis for doing so.
12 As part of *Amicus*’s commitment to the rule of law, it seeks to ensure that principles of
13 jurisdiction are strictly enforced, and *Amicus* wishes to bring its additional arguments
14 to the Court’s attention given that they implicate the Court’s subject matter jurisdiction.
15
16

17 3. *Amicus* has obtained leave to submit the attached brief in another tariff
18 challenge pending in a different court. *See Emily Ley Paper, Inc. v. Trump*, No. 3:25-
19 cv-464 (N.D. Fla.).
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1 RESPECTFULLY SUBMITTED.

2 DATED: April 23, 2025

JW HOWARD | ATTORNEYS, LTD.

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4
5 By: /s/ Scott J. Street

6 John W. Howard

7 Scott J. Street

8 Michelle D. Volk

9 Peter C. Shelling

10 **BOYDEN GRAY PLLC**

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12 **AMERICAN FIRST LEGAL**
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CERTIFICATE OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. I am employed by JW Howard/Attorneys, LTD. in the County of San Diego, State of California. My business address is 600 West Broadway, Suite 1400, San Diego, California 92101.

On April 23, 2025, I electronically filed the **UNOPPOSED MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS' MOTION TO TRANSFER** and served the documents using the Court's Electronic CM/ECF Service which will send electronic notification of such filing to all registered counsel.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 23, 2025 at San Diego, California.

/s/ Dayna Dang

Dayna Dang, Paralegal

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